REMARKS

The Examiner had previously allowed, and now rejects, claims 1, 6, 7, 10-13, 15-17, 19, 20 and 58. The Examiner had previously rejected claims 21-29, 31-39, 45-50, 59 and 60. Applicant had previously canceled claims 21-29, 31-39, 45-50, 59 and 60 without prejudice or disclaimer. As a result, claims 1, 6, 7, 10-13, 15-17, 19, 20 and 58 are pending for examination, with claim 1, and 58 being independent claims.

The Examiner has rejected Claim 1 and 58 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,026,397 to Sheppard ("Sheppard").

Applicants have amended Claim 1 and 58 to call for:

"conducting a presently conducted marketing

campaign cycle directed at the target subset of users;

observing responses of the target subset of

users to the presently conducted marketing campaign

cycle" (underlining added for emphasis)

The present invention provides for " The campaign management console 240 also tracks campaign results for evaluation and use in refining or revising the campaign. If the campaign is conducted on the Internet for example, user response (e.g., ad click-throughs) may be tracked in real time by the campaign management console 240 and stored in the data warehouse 210. Using such results, the campaign management console 240 calls on statistical tools in the profiler 230 to process the results to predict the probable success or failure of proposed changes to the marketing campaign" (Page 24, line 19– page 25 line 3). and

"The improved assessments are fed back to the data warehouse 210 to update or replace less complete or less reliable data on a particular user. This feature enables the real-time assessment of the attributes of a new user on a web site by observing his

succession of site menu choices, as described above." (page 28, lines 4-7). (underlining added for emphasis)

Sheppard, on the other hand provides for "Neural prediction function 38 of data analysis system 10 of the present invention provides predictive modeling capability. This capability may be particularly beneficial in a customer analysis setting in predicting future behavior of current or prospective customers by learning from actual customer behavior. Neural prediction function 38 utilizes supervised learning neural network technology having the capability to learn from historical behavior stored in database(s) 44. This technique may be used to predict any aspect of behavior for which records of historical behavior are stored in database(s) 44. For customer databases, this behavior may include product preference, customer profitability, credit risk, and likelihood of fraud. In implementing a direct marketing campaign, for example, neural prediction function 38 may be used to analyze records of individuals who did and did not respond to marketing campaigns. Function 38 may be used to score prospect lists to identify those individuals most likely to respond to a future marketing campaign." (underlining added for emphasis)

Accordingly, Applicants submit that Claim 1 and 58 are not anticipated by Sheppard under 35 U.S.C. §102(e).

Claims 6, 7, 10-13, 15-17, 19, and 20 are dependent on Claim 1. As such, Claims 6, 7, 10-13, 15-17, 19, and 20 are believed allowable based upon Claim 1.

CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the
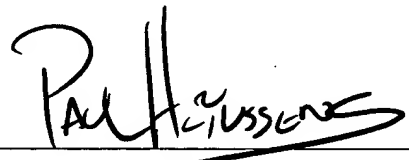
claims have been overcome. Reconsideration and reexamination of the above

Application is requested. Based on the foregoing, Applicant respectfully requests that

pending claims 1, 6, 7, 10-13, 15-17, 19, 20 and 58 be allowed, and that a timely

Notice of Allowance be issued in this case. If the Examiner believes, after this

amendment, that the application is not in condition for allowance, the Examiner is

requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of

time is otherwise absent, Applicant hereby requests any necessary extension of time. If

there is a fee occasioned by this response, including an extension fee, please charge any

deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
Microsoft Corporation

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Amendment
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